



**State of Louisiana**  
Louisiana Department of Health  
Office of the Public Health

CERTIFIED MAIL: 7007 3020 0002 8524 9696

January 25, 2019

Chad Lavoie  
Water Purification Superintendent  
Sewerage & Water Board of New Orleans  
8800 South Claiborne Ave  
New Orleans, LA 70118

Re: Safe Drinking Water Act:  
Notice of Violation / Tier 2 Public Notification of Non-Compliance  
Disinfection Byproduct Precursors Treatment Technique (TT) Violation  
Community Water System  
New Orleans Algiers Water Works  
PWS ID # LA1071001  
Orleans Parish

Dear Mr. Lavoie:

The Louisiana Department of Health, Office of Public Health (LDH -OPH) finds that you own or operate a public water system, the New Orleans Algiers Water Works, and are therefore subject to the requirements of Part XII (Water Supplies) of the Louisiana State Sanitary Code (LAC 51:XII). This letter is to notify you that the New Orleans Algiers Water Works is in violation of the Louisiana State Sanitary Code for failure to comply with provisions of the Stage I Disinfectants and Disinfection By Products Rule (D/DBPR = LAC 51:XII.Chapter 13) and to notify its customers of such non-compliance.

Upon review of the records provided, the above water supply was found to be in non-compliance with LAC 51:XII.377.A and 1301.A [40 CFR 141.135(a) and (b)] for the fourth calendar quarter of 2018. The non-compliance (and the requirement for public notification) was determined as a result of not achieving the minimum required percent reduction of total organic carbon (TOC) between the source water and the combined filter effluent.

You are hereby advised that this failure to meet the requirements of the D/DBPR requires that you **notify all customers** on the system (including "new" tie-ins) of this non-compliance by **both** of the following methods:

1. By notice published in a local newspaper serving the area as soon as possible, but no later than 14 days from receipt of this letter; **and**
2. By direct mail or hand delivery to each customer as soon as possible, but no later than 30 days from receipt of this letter.

EPA regulations require the notice include the following statements:

The New Orleans Algiers water supply is currently in violation of the Louisiana State Sanitary Code for failure to achieve the required minimum percent reduction of total organic carbon (TOC) in the water being treated. This type of violation is referred to as a treatment technique (TT) violation. Although this incident is not an emergency, as our customers, you have a right to know what happened and what we are doing to correct this situation.

The United States Environmental Protection Agency (EPA) sets drinking water standards and requires the disinfection of drinking water. *TOC has no health effects. However, TOC provides a medium for the formation of chemicals called disinfection byproducts (DBPs). Where disinfection is used in the treatment of drinking water, disinfectants combine with organic and inorganic matter present in water to form DBPs. These byproducts include trihalomethanes (THMs) and haloacetic acids (HAAs). Drinking water containing these byproducts in excess of the maximum contaminant level standard may lead to adverse health effects, liver or kidney problems, or nervous system effects, and may lead to an increased risk of getting cancer.*

In December 1998, EPA promulgated the Stage I Disinfectants and Disinfection Byproducts Rule (D/DBPR) to regulate TOC. This is the first time that EPA has ever regulated TOC in drinking water. For our system, the compliance date of the rule was January 1, 2002. Compliance with the TOC standard is determined by calculating a running annual average (RAA), determined quarterly, using the previous 12 monthly TOC sample result removal ratios. To meet the TOC standard, our system is required to achieve a RAA removal ratio of 1.00 or greater. The RAA removal ratio at the end of the fourth calendar quarter of 2018 was 0.89.

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.*

This is not an emergency. If it had been, you would have been notified immediately. EPA does not consider this violation to have any serious adverse health effects on human health as a result of short-term exposure; however, continued long term exposure to DBPs (e.g., 20 years of exposure) has the potential to have serious adverse effects on human health.

[EPA regulations further require that the notice include the name, business address, and telephone number of the owner, operator, or designee of the public water system as a source of additional information concerning the notice. In addition, steps being taken to comply, as well as when the water system expects to return to compliance, must also be included.]

The standard health effects language and the standard language to encourage distribution of the public notice has been *italicized* above to indicate that this is mandatory language that must be included without amendment. Words not italicized may be amended as long as the revised wording is factual and the public notice continues to meet or exceed the various content element requirements specified in 40 CFR 141.205(a).

Keep in mind there are specific deadlines by which to notify your customers. You should, therefore, avoid any delays in making your notifications. Failure to comply with this requirement for public notification may result in enforcement action being taken against your water supply.

**Upon completing each method of public notification (newspaper notification and mail or hand delivery notification), you are required to submit to the Office of Public Health (OPH) a certification that you have fully complied with the public notification regulations. A blank certification form is attached for your convenience. You may make copies as needed. In addition, you must include along with this certification a representative copy of: (1) the public notice, as published in the local newspaper, including the date of publication; and (2) the public notice mailed or hand delivered to your customers, including the date of mailing or hand delivery.**

Verification of your actions is necessary to insure that OPH records of this matter are accurate and complete. Please advise this office of your action in this matter as soon as possible, but no later than **10 days** of completion of each method of public notification.

If this office can be of assistance, please do not hesitate to contact me at (504)599-1564.

Sincerely,



Alicia Martinez, P.E.  
District 1 Engineer  
LDH/OPH, Engineering Services

Attachment

## PUBLIC NOTICE CERTIFICATION FORM

PWS NAME: \_\_\_\_\_

PWS ID #: \_\_\_\_\_

For Violation [describe violation]: \_\_\_\_\_

Occurring on [insert date]: \_\_\_\_\_

The public water system indicated above hereby affirms that public notice has been provided to consumers in accordance with the delivery, content, and format requirements and deadlines in 40 CFR Subpart Q. A representative copy of the public notice is attached.

☐ Consultation with EPA (if required) on [insert date] \_\_\_\_\_.  
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☐ Notice distributed by local newspaper serving the area on [insert date] \_\_\_\_\_.  
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☐ Notice distributed by mail or hand delivery on [insert date] \_\_\_\_\_.  
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☐ Content - required elements.

\_\_\_\_\_

Signature of owner or operator

\_\_\_\_\_

Date

Attachment [representative copy of public notice that was issued]